

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HOWARD JOHNSON,

Plaintiff,

v.

DANIEL REYNOLDS, *et al.*,

Defendants.

No. 4:18-CV-01862

(Judge Brann)

(Magistrate Judge Arbuckle)

ORDER

OCTOBER 30, 2019

Howard Johnson filed this amended 42 U.S.C. § 1983 complaint alleging that several police officers violated his civil rights when they promised not to prosecute him for criminal conduct if he provided a written confession and permitted police to search his phone, but later filed criminal charges against him anyway.¹ On October 9, 2019, Magistrate Judge William I. Arbuckle issued a Report and Recommendation recommending that this Court dismiss the complaint with prejudice.² No timely objections were filed to this Report and Recommendation.

¹ Doc. 12.

² Doc. 15.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.³ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.⁴ Upon review of the record, the Court finds no clear error in Magistrate Judge Arbuckle's conclusion that the complaint is barred by *Heck v. Humphrey*, 512 U.S. 477 (1994), and is otherwise without merit. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge William I. Arbuckle's Report and Recommendation (Doc. 15) is **ADOPTED**;
2. Johnson's amended complaint (Doc. 12) is **DISMISSED** with prejudice; and
3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

³ Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

⁴ 28 U.S.C. § 636(b)(1); Local Rule 72.31.